



**BOARD OF DIRECTORS:**

**Matthew Manning**, President  
**Linda Kuipers**, Director  
**Chris Blessing**, Director

**Zechariah Manning**, Director  
**Julie Davis**, Director

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*Ron Demmers, Water Operations Manager*

**AGENDA**

WESTERN HILLS WATER DISTRICT  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
**September 8 at 5:00 p.m.**

**[Note: as akenized below, the WHWD will hold a closed session meeting commencing at 5:00 p.m., with the regular meeting reconvening at 6:00 p.m.]**

Meeting Locations: **NONE**

**NOTICE: MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING AND ADDRESS THE BOARD VIA TELEPHONE ONLY. THIS MEETING WILL NOT INCLUDE IN PERSON PUBLIC ATTENDANCE.**

This meeting will be held in accordance with the Governor’s Stay at Home Executive Order N-33-20 and will not include in person public attendance. Members of the public may participate in the meeting and provide comments to the Board via telephone as described below.

Join Zoom Meeting

<https://us06web.zoom.us/j/81923643155?pwd=Q0N6SSthVWRrSTlrR1cxR0FzdU5vZz09>

Meeting ID: 819 2364 3155  
Passcode: 105058

One tap mobile

+13462487799,,81923643155#,,, \*105058# US (Houston)  
+17207072699,,81923643155#,,, \*105058# US (Denver)

Dial by your location

- +1 346 248 7799 US (Houston)
- +1 720 707 2699 US (Denver)
- +1 253 215 8782 US (Tacoma)
- +1 312 626 6799 US (Chicago)
- +1 646 558 8656 US (New York)
- +1 301 715 8592 US (Washington DC)

Note: if you wish to address the WHWD Board during public comments or on any matter on the agenda please identify yourself. Specific questions may be emailed to Ashley Wilkins at [awilkins@whwdist.com](mailto:awilkins@whwdist.com), prior to the meeting.

ALTERNATE FORMATS OF THIS AGENDA WILL BE MADE AVAILABLE TO QUALIFIED INDIVIDUALS WITH DISABILITIES UPON ADVANCE REQUEST. APPROPRIATE INTERPRETIVE SERVICES FOR THIS MEETING WILL BE PROVIDED IF FEASIBLE TO QUALIFIED INDIVIDUALS WITH DISABILITIES UPON ADVANCE REQUEST. If you are a qualified individual with disabilities and need assistance, please contact the District Secretary at (209) 895-9493, 48 hours prior to the meeting to enable the District to make reasonable arrangements to ensure accessibility to this meeting.

*Any and all of the following agenda items are subject to action being taken by the Board of Directors by motion, resolution, or ordinance. Members of the public may address the Board of Directors concerning any agenda item during the Board's consideration of that item.*

**1. Call meeting to order (5:00 p.m.)**

**2. Roll Call**

**3. Public Comments on Closed Session Items/Motion to Adjourn to Closed Session.**

**A. Pursuant to Government Code 54956.9 Conference with Legal Counsel – Existing Litigation:**

**1) WHWD/Diablo Grande CFD No. 1 v. World International, LLC, et al./Stanislaus County Superior Court Case No. CV-21-002840 (Complaint in Judicial Foreclosure of Delinquent Special Tax Lien)**

**2) WHWD/Diablo Grande CFD No. 1 v. Angel's Crossing, LLC, et al./Stanislaus County Superior Court Case No. CV-21-003177 (Complaint in Judicial Foreclosure of Delinquent Special Tax Lien)**

**3) WHWD/Diablo Grande CFD No. 1 v. Angel's Crossing, LLC, et al./Stanislaus County Superior Court Case No. CV-21-003252 (Complaint in Judicial Foreclosure of Delinquent Special Tax Lien)**

**B. Pursuant to Government Code 54956.9(d)(4) Conference with Legal Counsel – Anticipated Litigation: one potential case.**

**WESTERN HILLS WATER DISTRICT - MEETING OF THE BOARD OF DIRECTORS  
Wednesday, September 8, 2021 at 6:00 p.m.**

**6:00 p.m. – Reconvene Open Session**

**4. Reportable Actions Taken During Closed Session**

**5. Motion approving Consent Calendar**

*All matters listed hereunder shall be acted upon by a single vote of the Board. There will be no individual discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate agenda item.*

- a. Approval of the August 2021 Checks and Warrants.
- b. Approval of minutes for regular meeting August 11, 2021

**6. Action Items**

- a. Consideration and Approval of Resolution No. 2021-15, Resolution of the WHWD re Approval of Expenditure of Approximately \$50,000 of Diablo Grande Community Facilities District No. 1 Mello-Roos bond Refinance Proceeds for the Payment of Immediate WHWD Expenses.
- b. Consideration and Approval of an amount not to exceed \$6,500 to hire Cropper Accounting Agency to produce WHWD audited financial statement.
- c. Consideration and Approval of Resolution No. 2021-16, Resolution of the WHWD Finding Approval of Memorandum of Agreement Regarding Use of Turnout From California Aqueduct between WHWD, Oak Flat Water District and Kern County Water Agency;

Common Use Agreement for Turnout between Oak Flat Water District and WHWD are Exempt from CEQA under CEQA Guidelines Section 15301 (Existing Facilities) and to authorize the filing of a Notice of Exemption; Approve Memorandum of Agreement Regarding Use of Turnout From California Aqueduct between WHWD, Oak Flat Water District and Kern County Water Agency; Common Use Agreement for Turnout between Oak Flat Water District and WHWD.

## 7. Reports

- a. Proposed Budget Presentation and Board Discussion – Ron Demmers and Director C. Blessing
- b. Other Board member reports.

## 8. Public Comment on Items Not on the Agenda

*Interested persons in the audience or by teleconference are welcome to introduce any topic within the District's jurisdiction. Matters presented under this agenda item may be discussed, but no action can be taken by the Board at this meeting except as follows:*

- a. *Briefly respond to statements made or questions raised.*
- b. *Ask a question for clarification.*
- c. *Provide a reference to staff or other resources for factual information.*
- d. *Request staff to report back at a subsequent meeting.*
- e. *A Board member or the Board itself may take action to direct staff to place a matter of business on a future agenda.*

## 9. Motion to Adjourn.

Next Adjourned Regular Meeting: Wednesday, October 13, 2021.

**Matter Too Late for the Agenda:** *Action items may be added to the agenda upon determination by a majority vote of the Board that an emergency exists, as defined by state law, or by a 2/3 vote of the Board that (1) there is a need to take immediate action; and (2) that the need for action came to the District's attention after the agenda was posted.*